FOR MYSORE STATE

Revenue (1952) Department.

Ms SERIES.

G.O. NO. 2518

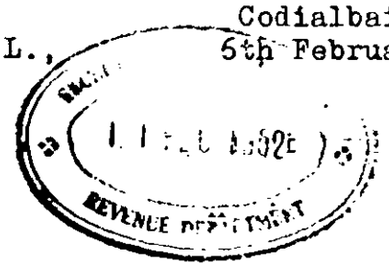
Dated 9. 9. 1952

[Despatch Abstract.]

Alienation - Land - (S. Kanara) - Mangalore Taluk and town T.S. No. 291/1 - Alienated in favour of the Municipal Council, Mangalore Resumption - Orders - Passed

From:-
P.R.Ranganatha Punja,B.A.,B.L.,
President,Town Hall Trust,
M A N G A L O R E.

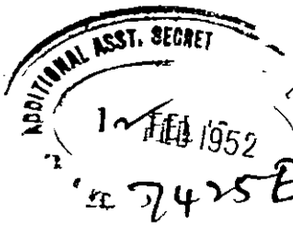
Rama Bhavan,
Codialbail,
6th February 1952.



To

The Hon'ble,
Sri. Sitarama Reddy,B.A.,B.L.,
Minister for Revenue,
Fort St. George,
M A D R A S.

11/2/52



R 7425 EQ

Dear Sir,

pp 29-43 of (2)

A Town Hall Trust was created by Government in Mangalore in 1938 with the object of getting a Town Hall built by pooling together various funds and the amount is now with the Accountant General, Madras. Plans and estimates were got ready and tenders were also invited, but all account coming and the available amount was found insufficient to meet the cost of a Town Hall as years passed by and costs of everything increased.

I happen to be the President of the Trust just now. The Municipal Chairman, District Board President, two more members elected from the Municipality from the Dt Board and one Mr K.R.Karant, have constituted this Trust.

pp 76-79 of (2).

A corner of the maidan was alienated by Government in favour of the Municipality for constructing the Town Hall. ~~In view of the fact that~~ A peighbouring plot, commonly known as the Police Hockey Ground, has been considered more suitable for the Municipal Office or the Town Hall by the present Municipal Councillors and they have been frequently making representations to Government in this behalf, but there seems to be some difficulty in their getting it.

A

B

In the meanwhile, probably to add force to their request, the Municipality appears to have asked for resumption of the land alienated in its favour for the location of the Town Hall and re-grant of the site to the

B/ Municipality for a different object viz., as recreation ground without the knowledge of the Trust.

C. The Proprietor of the Neo-Canara Carnival Shows have offered a sum of Rupees Thirty Thousand (Rs.30,000/-) if the Town Hall site and some adjoining land is given to him on lease for three months from 1st March 1952. This proposal was considered at a meeting of the Town Hall Trust and it was resolved to lease the land with the consent of the Collector and an application was made accordingly by me as President, and the Municipal Chairman and District Board President as members of the Trust to the Collector for his consent.

The District Collector feels some difficulty in granting or refusing consent as resumption and regrant proposals of the Town Hall site have to be dealt with by Government. Copies of our petition to the Collector and his reply are enclosed.

If you feel that the Trust should not let go the chance of adding to its resources, on such grounds, I would request you to kindly treat this as an application to Government for its consent to lease the land for Neo-Canara Carnival Shows and grant the consent of Government as expeditiously as possible.

Yours faithfully,

H Manjunatha Pai

Enclosures:

(1) 20-12-51. Copy of letter to President Town Hall Trust from Proprietor Neo-Canara Carnival Shows

(2) Copy of letter appln. from Town Hall Trust to the Collector of S.K. dt. 25.1.1952

(3) Reply received from the Collector of S. Kanara

3

"angalore, 25th Jan. 1952.

From
"essrs.
1. P. R. Ranganatha Punja, B.A.,B.L.,
President, "angalore Town Hall Trust.
2. L. C. Pais, B.A.,B.L.,".L.A.,
Chairman, "unicipal Council, "angalore;"ember
"angalore Town Hall Trust.
3. B. "anjayya Hegde, B.A.,B.L.,
President, Dt. Board, S. Kanara,
"ember, "angalore Town Hall Trust.

To
Sri A. R. Rajaratnam, B.A.,
District Collector, South Kanara, "angalore.

Dear Sir,

On an application made by "r. ". Gopal Rao, Proprietor, Neo Canara Carnival Shows, offering to pay a sum of Rs.30,000/- to the Town Hall Trust, on condition of the site in the Central "aidan alienated to the "unicipality for construction of the Town Hall by the said Trust, and an adjoining portion of the said "aidan being leased to him for a period of three months commencing from 1st "arch 1952, it was resolvdd at a meeting of the said Trust held in the "unicipal Council on 18-1-1952 to negotiate with him suitably and grant the lease, after obtaining the consent of the District Collector.

In the circumstances, we, the President and "embers of the said Trust, hereby solicit your consent for the lease and the favour of an early reply.

Yours faithfully,

(sd.) P.R.R.Punja
L.C.Pais
B.M.Hegde

(True copy)

B.M.Punja

Dis. 2098/52

S. Kanara Collector's Office,
Mangalore, dated 2nd February 1952.

From,
Sri A. R. Rajaratnam, B.A.,
Collector of South Kanara,

To
Sri P. R. Ranganatha Punja,
President,
The Mangalore Town Hall Trust,
M a n g a l o r e .

Sir,

Alienation: Land - Mangalore Municipality - Portion of Central Maidan - Attawar Village - T.S. No.291/1 - Permission to lease in favour of Sri M. Gopala Rao-request.

Ref. Your letter dated 25-1-1952.

1 T. S. No.291/1 of Attawar village forming a portion of the Central Maidan and which measures 1.47 acres was already alienated in favour of the Mangalore Municipal Council for the construction of a town hall in G. O. 3003/Revenue dated 23.11.1938 B.P.Mis.3440/3-12-1938. The Council was given 2 years time from the date of the G.O. to construct and complete the Town Hall.

2 In Board's Rt.No.2625 dated 30.7.1942 extension of time till 30.11.1943 was granted to the Municipal Council for the construction of the Town Hall. Again in G.O. Ms.1373/Revenue dated 25.7.1945 the Municipality was further granted time and the construction should have been completed by 31.3.1947. In B.P. Rt. No. 5551 dated 24.9.47 the Board again sanctioned a further extension of time ~~XXX~~ to the Municipal Council for two years more till 31.3.1949.

3 When this extension was granted, in its Ref. C4.13325/49 dated 3.9.1949 the Municipality reported to my office that the site T.S.No. 291/1 was not suitable for a Town Hall and intimated that the Council has resolved in its resolution No.5/29.8.49 that the site might be resumed by Government and realienated in favour of the Municipality for purposes of public recreation and parks as the rest of the Maidan T.S. No.291/2A.

4 Revenue Revision petition proposals are now pending consideration. As the alienation of T.S. No. 291/1 was originally sanctioned by Government the resumption also could be ordered only by the Government. At this stage therefore there is nothing that could be done by me with regard to the grant of permission either to the Municipality or to the Trust of which you are the President to lease out any portion of it to any private individual for the purpose referred to. I hope that you will appreciate the difficulties involved in according to your request.

(By order)

Sd. Hūzur Head Clerk.

Copy to the Commissioner of the Mangalore Municipality for information.

(True Copy)

Pl. issue
D
25/2/52

JR
26/2/52

Rev. Dept

Memo. No. 7425 E/52-1 dt 25.2.52

Alienation - Land - (S. Kanara) - Mangalore taluk - Attavara Village - T.S. No. 291/1 - In favour of the Municipal Council - For construction of a Town Hall.

CF

Ref: From the President, Town Hall Trust, Mangalore petition dt 6.2.52

M.1.2.CF

A copy of the petition quoted above is forwarded to the Collector of S. Kanara. He is requested to submit a report in the matter through the Bd. of Rev with an advance copy to the Govt.

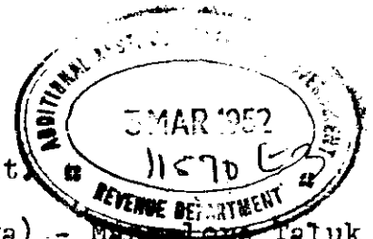
27/2/52

17.4.52

25/4/52

20/2/52

Coll of S. Kanara
Copy to the Bd/of Rev (LR) } with a Copy of HP 1-2 CF



Revenue Department.

Subject.

Alienation - Land - (South Kanara) - Mangalore Taluk and Town - Attavar village - T.S.No.291/2A - In favour of the Municipal Council, Mangalore for recreation ground - Construction of Cricket pavilion and latrine - ratification.

Station: Madras. . Ref.E.955/52-1 dated 27-2-52.

Sri A.F.Mascarenhas, IAS., Secretary
Board of Revenue.

Sri W.R.S.Sattianathan, ICS., Commissioner of
Land Revenue.

See below Read:- From the Collector of South Kanara, Ref.17144-51-B3 dated 3-2-52.

REFERENCE:

Submitted to the Government.

2/ In the circumstances reported by the Collector in his letter read above, the Board requests that the action of the Mangalore Municipality in having constructed a cricket pavilion and a latrine in T.S.No. 291/2A of Mangalore taluk and town without permission, may be ratified.

3/ With reference to para 10 of his letter read above, the Collector is informed that the Government (G.O.No.856, Rev., dated 12-4-1907) have already transferred the land in question in favour of the Municipality and that there is no need now to resume and realienate the land to the Municipality.

[illegible] 1952
For Secretary.

To The Secretary to Government, Revenue Dept.
Collector of South Kanara.

K.t.a.27/2.

Copy of letter Ref.17144/51-B3 dated 3-2-52 from the Collector of South Kanara.

Sub:- Land - (S.Kanara) - Mangalore taluk and town - Attavar village - T.S.No.291/2A - alienation in favour of Mangalore Municipality - report.

The General Maidan in Mangalore town, situated in T.S.No.291 measured 24.18 acres. It stood registered in the Revenue accounts as assessed waste until 1938. It was all along used by the Mangalore Municipality as a recreation ground.

In G.O.3003 Rev., dated 23-11-38 - B.P.Mis.3440 dated 3-12-38 - the Government sanctioned the alienation of a portion of it ie. T.S.291/1 in favour of the Mangalore Municipal Council for the construction of a town hall. Extensions of time were granted to the Municipal Council subsequently to construct and complete the town hall. The last extension was granted till 31-3-49 in B.P.Rt. No.5551 dated 24-9-47.

3. Later the Municipality reported to my office that the site 291/1 was not suitable for a town hall and forwarded to me a copy of the resolution of the Council No.5 dated 29-8-49 requesting me that the plot T.S.291/1 might be resumed by Government and realienated in its favour for purposes of public recreation and parks as the rest of the maidan ie. 291/2A.

4. In 1948, the Government sanctioned the transfer to the India Meteorological Department a portion of T.S.No.291/2, denoted as T.S.No.291/2B for the construction of a rain gauge. This rain gauge has come to stay since then and is now maintained and looked after by the Meteorological Department.

5. Meanwhile the Municipality put up a Radio pavilion and a latrine in T.S.291/2A. Recently a sports pavilion has also been constructed on T.S.No.291/2A. The Commissioner of the Municipality was therefore requested by me to intimate how those permanent structures came to be raised, when the plot had not been alienated in favour of the Municipality. The Commissioner sent a reply stating that even the resumption and alienation of T.S.No.291/1 was not necessary and much less, the alienation of T.S.No.291/2A. He has sent a copy of G.O.Ms.No.856 Rev., dated 12-4-1907 in which the transfer of the whole of the maidan in favour of the Municipal Council was sanctioned subject to the three specific conditions given below:

(1) that the site shall not be used for any other purpose other than that of the recreation of the general public without the approval of the Government;

(2) that no buildings shall be erected on the site;
(3) that the site shall be liable to resumption without payment of compensation when the condition on which it is transferred ceased to be fulfilled or whenever required by Government.

6. There is no doubt that the Central Maidan T.S.Nos. 291/1 and 2A are even to this day used only for recreation purposes by the general public. The only construction in the plot are a radio pavilion in the Centre of 291/2A, a latrine touching the compound wall of the church in T.S.No.290 and a sports pavilion building in front of the church. A footpath has been laid along the southern boundary of T.S. 291/1 with avenue trees planted on either side.

7. In G.O.No.2406 Rev., dated 15-9-1939 the Government accorded sanction to the Municipal Council for the construction of a radio pavilion. In G.O.No.Mis.2307 Rev., dated 11-10-41 the Commissioner of the Mangalore Municipality is stated to have been informed that no building shall be erected on the site without the previous approval of the Collector. In this G.O. this condition was inserted as an amplification of the conditions already enumerated in G.O.No.856 Rev., dated 12-4-1907.

8. It would thus be seen that the control of the maidan was transferred to the Municipality even in 1907. The Municipality has been maintaining the maidan for the use of the general public. The Municipality did not however obtain any permission from the Collector, before they constructed the latrine and the (criket) sports pavilion. Though no permission was obtained for the construction of the cricket pavilion, the action of the Municipality could be ratified now in respect of not only of the cricket pavilion but also for the latrine.

9. The Commissioner of the Municipality has now stated that no alienation is necessary. But I am not aware of any provision in the B.S.O. under which such control of the maidan could continue to vest on the Municipality without formal alienation particularly when buildings are being put up now and then by the Municipality.

10. I request to be informed whether any proposals to alienate T.S.No.291/2A (Ac.22.59) in favour of the Municipality is now necessary. I may also be informed whether any proposals for resumption in respect of ~~Sx~~ T.S. No.291/1 should be submitted at this stage. I may mention in this connection that I find that at the time when alienation proposals were submitted in 1938 in respect of 291/1, my office was not aware of ~~&~~ the G.O.of 1907 which the Commissioner of the Municipality has brought to my notice for the first time now. A sketch showing the sub divisions in T.S.No.291 is at page 7 C.F

11. I enclose also my office files (1) R.Dis.1592/37 dated 18-12-38, (2) R.Dis.1940/48 dated 13-5-48 (3) and current file B3-17144/51 (pages 1 to 74) for reference and return.

Sd. x x
for Collector.

(True copy)

for Secretary.

k.t.a.27/2.

Ref.C.No.17144/51.B3. S.Kanara Collector's Office,
Mangalore dated 4.3.52.

ADDITIONAL SECRETARY TO GOVERNMENT
13133
5 MAR 1952

From

SRI A.R.RAJARATNAM B.A.
Collector of South Kanara.

To

The Secretary to Government
Revenue Department,
Fort St. George, Madras-9.

Through

The Secretary to the Board
of Revenue,
Land Revenue,
Chepauk, Madras 5.

Sir,

ALIENATION - Land - (S.Kanara) Mangalore taluk - Attavar village - T.S.No. 291/1 - in favour of the Mangalore Municipal council for the construction of a town hall.

****

Ref: Government Memo No. 7425/E.52-1 dated 25-2-52.

****

I enclose my office L.Dis.2098/52 for reference and return. T.S.No.291/1 of Attavar village was alienated in favour of the Mangalore Municipal Council for the construction of a town hall in G.O.No.3003 Rev. dated 23.11.38. B.P.Mis. 3440 dated 3.12.38 within a period of 2 years. The Municipality was thereafter granted extensions of time to construct the hall. The last such extension which was granted in B.P.Rt.No.5551 dated 24.9.5447 expired on 31.3.1949.

2. In its reference dated 3.9.49 the Municipality informed my office that the plot was not suitable for a town hall and that the council had resolved to address the Collector to resume the plot and realienate it in its favour for purposes of public recreation and for the creation of a park.

3. Meanwhile the President of the town hall trust requested me for granting the trust permission to lease the land to a private individual who appears to have offered the trust a donation of Rs.30,000 for the town hall if the land is leased to him for a short period. The alienee in this case is the Municipal Council and the Council has stated that the site is not suitable for a town Hall. The President of the Town Hall Trust applied to me for permission to lease out the plot. As the plot had been alienated to the Municipal Council it is the council which can lease out the plot with the permission of the Government and the President of the Town Hall Trust could have moved the Municipal Council in the matter. I do not think that the request of the ~~trust request of the~~ trust for permission to lease the plot to any one to secure a promised donation can be complied with.

PARA 3 OF THE PETITION: The Hockey ground referred to is T.S.No.280/1A1A3 of Attavar village situated at a distance of about 100 yards to the east of this plot. This plot has been handed over to the police Department as per G.O.Ms.No.525 Rev. dated 3.3.51. This plot is not therefore available for a town hall at present.

Yours faithfully,

For Collector.

Copy submitted to the Secretary to the Government Revenue Department, Fort St. George, Madras-9.
AM/5.3.52.

Revenue Department,
Subject.

ALIENATION - Land - (South Kanara) - Mangalore taluk - Attavar village- T.S.No.291/1-- In favour of the Municipal Council, Mangalore, for construction - A Town Hall.

Rea Ref.E.1420/52-1.
Station: Madras. Dated 19.3.52.

From

Sri A.F. Mascarenhas, I.A.S, Secretary, Board of Revenue.

Rev. Dept

Sri W.R.S. Sattianathan, I.C.S., Commissioner of Land Revenue.

To AS

Submitted for perusal. The main file has on the subject has been sent to L.A.I R.W. In that it has been proposed to ask the Coll. whether an alternate site has been selected for the Construction of a Town Hall. No action is therefore called for on the Bd's reference. May be added to the main file & pursued further when an its return

READ: Government Memo.No.7425 E/52-1 Revenue, dated 25.2.52.

Collector of South Kanara Ref.C.No.17144-51 B3. dated 4.3.52.

REFERENCE:

The Board invites the attention of the Government to a copy of the Collector's reference read above sent to them direct and it agrees with the Collector and that the permission applied for by the President, Town Hall Trust, Mangalore may be rejected.

For Secretary.

To the Secretary to Government Revenue Dept., with Collector's Lr.No. 209-52 for reference and return.

ps.19.3.

E.R: 19.5.52
Due on: 5.6.52

Pl assue
18/4/52

Rev. Dept

Memo. No. 7425E/52-3 dt. 17.4.52

Alienation - Land - (S. Kanara) - Mangalore taluk and town Attavara village - T.S.No. 291/1 & 291/2A - In favour of the Municipal Council for construction of a town hall and Sports pavilion.

pp 6-8 CF
p 9 CF

From the Bd. of Rev. Ref. E. 955/52.1 dt 27.2.1952
From the Collector of S. Kanara letter No. 17144/51 B.3 dt 4.3.1952.
From the Bd. of Rev. Ref. E No. 1450/52-1 dt 19.3.52

The Collector of S. Kanara is requested to state whether the Municipal Council, Mangalore has selected an alternate site for construction of the town hall as ~~asked~~ if. He is also requested to draw the attention of the Municipal Council to

p 10 CF of (R)

condition (2) of the conditions of transfer of the land

G.O. ~~Ms~~ No. 856 Rev. dt 12.4.1907 as amended by G.O. Ms No. 2307 Rev. dt 11.10.1941 and to inform the Municipal Council ~~that the pro~~ that in future the previous Approval of the Collector should be obtained before constructing any building on the site Herein.

p. 10 CF of (R)
pp 21-22 of (P)

2. In the circumstances reported, the action of the Municipal Council Mangalore in having constructed a Cricket pavillion and a latrine in T.S. No. 291/2A. of Mangalore taluk and town without the permission of the Collector is ratified

para 2 on p. 6 CF

14/8/52 17.8.52

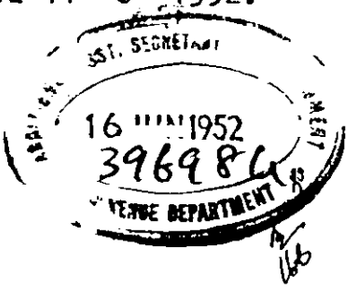
22/8/52

To
The Bd. of Rev. (LR)
The Collr of S. Kanara

/BY REGISTERED POST/

Ref.B3. 17144/51.

South Kanara Collector's Office,
Mangalore, dated 11- 6- 1952.



From

Sri. A. R. Rajaratnam, B. A.,
Collector of South Kanara.

To

The Secretary to Government,
Revenue Department, Fort.St.George,
M a d r a s - 9.

Through

The Secretary to the Board of Revenue,
Land Revenue, Chepauk, Madras- 5
(in duplicate)

Sir,

ALIENATION - Land (South Kanara) - Mangalore Taluk and Town - T.S.Nos. 291/1 and 2A in favour of the Mangalore Municipal council - proposals.

REF:- (1) My letter B3- 17144/51 dated 3-2-1952 addressed to the Board.
(2) Government Memo No. 7425/E/52-1 d-25-2-1952.
(3) My letter B3. 17144/51 dated 4-3-1952.
(4) Board's Ref.E. 965/52-1 dated 27-2-1952.
(5) Government Memo No. 7425/E/52-3 d-17-4-1952.

pp 6-8 ante
p. 5 ante
p 9 ante
p 6 ante
pp 11-12 ante
pp 11-12 ante

As instructed by the Government Memo cited (5) above, I consulted the Mangalore Municipality and asked the chairman to let me know whether the Municipal Council has selected an alternate site for the construction of the Town Hall. I have now been informed by the Commissioner of the Mangalore Municipality that no suitable site could be selected so far and that it is also unlikely that the Town Hall committee would be able to undertake the construction of the Town Hall in the immediate future with the limited funds at its disposal. It is suggested that the ~~Taheild~~ Town Hall committee could select a suitable site ~~h~~- leisurely and that the municipal council has abandoned the idea of locating the same in T.S.No. 291/1 of Attavar village.

2. I enclose a copy of the letter dated 7-6-1952 which I have received from the Commissioner of the Mangalore Municipality. I agree with him in considering that T.S.No.291/1 is not suitable for constructing a Town Hall and recommend that it may be ~~recommended~~ and realienated in favour of the municipality for development as per the approved lay out along with the rest of the maidan i.e, T.S.No.291/2A of Attavar village.

3. The following records are enclosed.
(1) R.Dis. 1592/37 dated 18-12-1938
(2) R.Dis. 1940/48 dated 13-5-1948
(3) Current file 17144-51-B3 & Pages 1-122.

Not reqd

Yours faithfully,

For Collector.

Copy submitted to Government direct.
kvr-12-6-52.

Copy of C4- 9875/50 dated 7th June 1952 from the Commissioner Mangalore Municipality

SUB: ALIENATION: Land and Revenue-Attavar village T.S. 291/1 and 2A-Public recreation ground - in favour of Mangalore Municipality proposal-
Ref: B3- 17144/51 dated 26-4-1952.

****

With reference to your reference cited above para I, I have to state that the Municipality, is separately considering the proposals for the location of the Town Hall in some convenient place, but so far no suitable site could be selected in collaboration with the Town Hall Committee. It is also not likely that the Town Hall Committee would be able to begin the construction with the limited funds at their dispsal in the near future. Hence the Town Hall Committee select a suitable site leisurely. Anyhow the Municipal Council has abandoned the idea of locating the same in T.S.No 291/1 of Attavar village as the aforesaid plot could utilised for the development of the Maidan as per the upto date lay out B.P.No 144/49 revised B.P.No 54/48 of Director of Town Planning of Madras. Estimates have already been prepared and necessary funds sanctioned for the laying out of the Maidan as shown in the plan submitted already and th resumption and realienation of the lands 291/1 would go a long way to carry out the entire scheme of developing the Central Maidan instead of finalising piece-meal proportion only in some portion of the maidan. The development of the maidan suggested the Director of Town Planning, Madras besides being an asset to the town would enhance the benefit of this valuable recreation spot. In the aforesaid circumstances, I request that the Government may be moved to resume and realienate the plot T.S.No 291/1 for being used as per the approved lay out and develop along with the rest of the maidan T.S. 291/2A of Attavar village.

15

Revenue Department

Alienation - Land - (South Kanara) - Mangalore taluk and town - T.S.No.291/1 and 291/2-7A- In favour of the Municipal Council for construction of a town hall and sports Pavillion - further report to be submitted.

Station: Madras. Ref.E.955/52-3 d/ 15.7.52.

From: Sri A.F.Mascarenhas, I.A.S., Secretary, Board of Revenue.
Sri W.R.S.Sattianathan, I.C.S. Commissioner, Land Revenue.

--

Read: Government Memo No.7425 E/52-3 Revenue dated 17.4.1952.
Collector of South Kanara Ref.B3.17144/51 d/ 11.6.1952.

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Reference:

Submitted to the Government.

The Board invites the attention of the Government to paragraph 2 of the Collector's letter read above. It has no objection to the Collector's proposal contained therein.

R.V...
For Secretary.

To the Secretary to Govt., Revenue Department ~~(with encls)~~.
with a copy of the Collector's letter d. 11.6.52.
kvh:15.7.

N.S 15-7

Same as c/p 13 ante

BY REGISTERED POST

Ref.B3. 17144/51.

South Kanara Collector's Office,
Mangalore, dated 11- 6- 1952.

From

Sri. A. R. Rajaratnam, B. A.,
Collector of South Kanara.

E
R.8462
14/6/52

To

The Secretary to Government,
Revenue Department, Fort.St.George,
M a d r a s - 9

46
6676

Through

The Secretary to the Board of Revenue,
Land Revenue, Chepauk, Madras- 5
(in duplicate)

Sir,

OFFICE OF THE BOARD OF REVENUE 17 JUN 1952 MADRAS

ALIENATION - Land (South Kanara) - Mangalore Taluk and Town - T.S.Nos. 291/1 and 2A in favour of the Mangalore Municipal council - proposals.

REF:- (1) My letter B3- 17144/51 dated 3-2-1952 addressed to the Board.
(2) Government Memo No. 7425/F/52-1 d-25-2-1952.
(3) My letter B3. 17144/51 dated 4-3-1952.
(4) Board's Ref.E. 965/52-1 dated 27-2-1952.
(5) Gove nment Memo No. 7425/F/52-3 d-17-4-1952.

As instructed by the Government Memo cited (5) above, I consulted the Mangalore Municipality and asked the chairman to let me know whether the Municipal Council has selected an alternate site for the construction of the Town Hall. I have now been informed by the Commissioner of the Mangalore Municipality that no suitable site s could be selected so far and that it is also unlikely that the Town Hall committee would be able to undertake the construction of the Town Halls in the immediate future with the limited funds at its disposal. It is suggested that the ~~Taheild~~ Town Hall committee could select a suitable site ~~h~~ leisurely and that the municipal council has abandoned the idea of locating the same in T.S.No. 291/1 of Attavar village.

2. I enclose a copy of the letter dated 7-6-1952 which I have received from the Commissioner of the Mangalore Municipality I agree with him in considering that T.S.No.291/1 is not suitable for constructing a Town Hall and recommend that it may be ~~recommended~~ and realienated in favour of the municipality for development as per the approved lay out along with the rest of the maidan i.e, T.S.No.291/2A of Attavar village.

3. The following records are enclosed.
(i) R.Dis. 1592/37 dated 18-12-1938
(2) R.Dis. 1940/48 dated 13-5-1948
(3) Current file 17144-51-B3 & Pages 1-122.

Yours faithfully,

For Collector. 13.6.52

Copy submitted to Government direct.
kvr-12-6-52.

Same as ex-parte ante -17

17

Copy of C4- 3675/50 dated 7th June 1952 from the Commissioner Mangalore Municipality

SUB: ALIENATION: Land and Revenue-Attawar village T.S. 291/1 and 2A-Public recreation ground - in favour of Mangalore Municipality proposal-
Ref: B3- 17144/51 dated 26-4-1952.

****

With reference to your reference cited above para I, I have to state that the Municipality, is separately considering the proposals for the location of the Town Hall in some convenient place, but so far no suitable site could be selected in collaboration with the Town Hall Committee. It is also not likely that the Town Hall Committee would be able to begin the construction with the limited funds at their dispsal in the near future. Hence the Town Hall Committee select a suitable sited leisurely. Anyhow the Municipal Council has abandoned the idea of locating the same in T.S.No 291/1 of Attawar village as the aforesaid plot could utilised for the development of the Maidan as per the upto date lay out B.P.No 144/49 revised B.P.No 54/48 of Director of Town Planning of Madras. Estimates have already been prepared and necessary funds sanctioned for the laying out of the Maidan as shown in the plan submitted already and th resumption and realienation of the lands 291/1 would go a long way to carry out the entire scheme of developing the Central Maidan instead of finalising piece-meal proportion only in some portion of the maidan. The development of the maidan suggested the Director of Town Planning, Madras besides being an asset to the town would enhance the benefit of this valuable recreation spot. In the aforesaid circumstances, I request that the Government may be moved to resume and realienate the plot T.S.No 291/1 for being used as per the approved lay out and develop along with the rest of the maidan T.S. 291/2A of Attawar village.

/True copy/

Pl. issue 8.9.'52

Rev. Dept

Cro 7425 Ex/52

(Z)

Read again:

G.O. Ms. no. 3003 Revenue dt 23.11.1938

pp 1-4 CF

Read also: From the President, Town Hall Trust Mangalore petition dt 6.2.52

~~From the Board of Rev. Ref E. 955/52-1~~

p 9 CF dt 9/9

From the Collector of S. Kanara letter Cro. 17144/51 B.3 dt 4.3.52

p 10 CF

From the Board of Rev. Ref E. 1420/52-1 dt 19.3.52

pp 13-14 CF

From the Collector of S. Kanara, letter no. B.3-17144/51 dt 11.6.1952

p 15 CF

From the Board of Rev. Ref E. 955/52-3 dt 15.7.1952

G.O (Ms) no. 3518 dt. 9-9-52

pp 13 & 15 CF

In the circumstances reported the Govt. direct that the land bearing T.S. no. 291/1 of Attavara Village Mangalore town, S. Kanara district, alienated in favour of the Municipal Council Mangalore, in G.O. (Ms) no. 3003 Rev

pp 76-79 of (Z)

*) 20.11.1958 for the construction of a townhall be reserved. ~~The Collector~~ and re-alienated in favour of the Municipal Council for use as the site of a public park and recreation ground. The Board of Rev. is requested to submit necessary proposals in the matter

p. 76-79 of (2)

para 2 on p. 13 CF & p/15 CF

2). The President, Town Hall Trust Mangalore is informed that the Govt decline to comply with his request to lease the land T.S. No. 291/1 of Attavara village, Mangalore taluk & Town, S. Kanara district. His petition is therefore rejected

✓ DD 1-2-CF

31.7.52

21/8/52

11.8.52

5.9.52

-Do-

The Bd of Rev (CR)

The Collector of S. Kanara

Copy to the President, The Town Hall Trust, Mangalore, thro' The Collr of S. Kanara (para 2 only)

2 S/cs

12.9.52

(Abstract)

ALIENATION - Land (South Kanara) - Mangalore taluk and town - T.S.No.291/1 - Alienated in favour of the Municipal Council, Mangalore - Resumption - Orders passed.

Revenue Department

G.O. Ms.No.2518, Dated 9th September 1952
Read the following:-

G.O. Ms.No.3003 Revenue, dated 23rd November 1938
From the President, Town Hall Trust, Mangalore, Petition dated 6th February 1952
From the Collector of South Kanara, Letter C.No.17144/51, dated 4-3-1952
B.3
From the Board of Revenue, Reference E. 1420/52-1, dated 19th March 1952
From the Collector of South Kanara, Letter No.B.3-17144/5 dated 11th June 1952
From the Board of Revenue, Reference E. 955/52-3, dated 15th July 1952.

ORDER:

In the circumstances reported the Government direct that the land bearing T.S.No.291/1 of Attavara village, Mangalore town, South Kanara district, alienated in favour of the Municipal Council, Mangalore in G.O.Ms. No.3003 Revenue dated 23rd November 1938 for the construction of a town hall be resumed, and re-alienated in favour of the Municipal Council for use as the site of a public park and recreation ground. The Board of Revenue is requested to submit necessary proposals in the matter.

2. The President, Town Hall Trust, Mangalore is informed that the Government decline to comply with his request to ~~max~~ lease the land T.S.No.291/1 of Attavara village, Mangalore taluk and Town, South Kanara district. His petition is therefore rejected.

(BY ORDER OF THE GOVERNOR)

T. J. Jacques,
Deputy Secretary to Government.

To the Board of Revenue (Land Revenue)
To the Collector of South Kanara
Copy to the President, The Town Hall Trust, Mangalore, through the Collector of South Kanara (Para 2 only)

(True copy)
Forwarded / By Order

aj/9.9

Superintendent.

Revenue Dept

CNo 7425 E/52.

Alienation - Land - (S. Kanara) - Mangalore taluk - Attavara Village - T.S. No. 291/1 - In favour of the Municipal Council - For Construction of a Town Hall.

CF

From the President, Town Hall Trust, Mangalore, petition 6.2.52.

To AS.

Please see the petition and its enclosures from the President Town Hall Trust, Mangalore, on pp 1-4 CF

p. 29 of (ii) / No 3003 Rev & 23.11.38

2/. In G.O. Ms. No. 359 E+P.H dated 29.1.1938 the Govt. sanctioned the Utilisation of the Town Hall Fund of Rs. 16,000/-, and the diversion of the amount of Rs. 12,000/- earmarked by the Municipal Council Mangalore for an office building and the Contribution of Rs 7000/- by the Municipal Council from its funds, to wards the Construction of a Town Hall in Mangalore. In G.O. Ms. No. 3003 Revenue & 23.11.1938 the Govt sanctioned also the alienation of an extent of ~~1.47~~ 1.47 acres of lands in T.S. No. 291/1 of Attavara Village, Mangalore taluk, S. Kanara district. One of the conditions of alienation was that the Town Hall should be constructed within a period of two years from the date of the grant. But in G.O. Ms. No. 1373 Revenue & 25.7.45 the Govt. permitted the local bodies and private bodies in whose favour lands had been alienated for specific purposes involving construction of buildings, compound walls etc. to complete such works within one year from the termination of the War. The Bd of Rev. appears to have granted time till 31.3.49 for completing the building but the Trust does not seem to have even started construction of the building. On the other hand the Municipal Council, Mangalore appears to have requested the Collector for resumption and realienation of the land for ~~purp~~ purpose of public recreation ground and park. In the present petition on pp 1-2 cf the President of the Town Hall Trust has objected to the request ~~and~~ of resumption and realienation

p. 73-77 o: (ii) para 10 on p. 76 of (T) X

para 2(2) on p. 77 of (ii)

p 6 of (T)

A on p 1 CF

B & Lf 1-2 CF

of the Municipal Council, Mangalore and has sought the permission of the Govt for leasing the land for a period of three months from 1-3-52, to a private individual. The lease amount which is stated would be Rs. 30,000/- is intended to add to the resources of the Trust.

It is not known what action the Collector has taken on the request of the Municipal Council. But from the statement of the petitioner that the land would fetch an amount of Rs. 30,000/- if leased out for a period of three months, it is apparent that the land is a valuable one and either the Govt or the Municipal Council cannot forego the income on the land. ~~if not notice~~ The remarks of the Collector of S. Kanara (on the petition ~~on~~ (1-2 CF) may be called for in the first instance. Subject to orders a draft memo is submitted for approval

D on / p 2 CF

A & B on / p

C on p 2 CF

The suggestion evidently is that the Municipality should be permitted to lease the land & that the lease amount should be given for the expenditure towards the Construction of town hall

VS
20/2/52

18.2.52

The remarks of the Collr + of the Bd of Rev might invite in the first instance.

VS
20/2/52

DS from

Issued as Memo. No. 7425 E/52-1 Rev. dt 25-2-1952 p 5 CF
From the Board of Rev. Ref. E. 955/52-1 dt 27.2.52 pp 6-8 CF
From the Collector of S. Kanara Ref. C.No. 17144/57 B3 p 9 CF
dt 4. 3. 1952

To A.S.

Please see the notes from p.1 ante, the Board's reference and the S. Kanara Collector's letter on pp. 6-9 c.f.

2. In G.O. Ms. No. 856 Revenue dated 12.4.1907 p. 10 CF of (R) the land bearing R.S. No. 291 (measuring 24.81 acres of Attavara village, in Mangalore town) was transferred to the control of the Municipal Council, Mangalore on the conditions that the site ~~should~~ shall not

para 1 on p. 2 of (R)

p 10 CF of (R)

be used for any purpose other than for the purpose of recreation of the general public, without the approval of Government. ~~xixhouxxixhexfoxxmixxxfxmxxafxxhaxGoxxxy~~ that no buildings should

pp 21-22 of (P)
p 10 CF of (R)

be erected on the site without the previous permission of the Collector and that the site shall be liable to resumption without compensation when the conditions of transfer are infringed or whenever the site is required by Govt Subse-

paras 3 & 4 on p 7 CF

quently the land was sub-divided into T.S.Nos.291/1, 291/2A and 291/2B. T.S. No.291/2B was transferred to the Indian

para 4 on p. 7 CF

Meteorological department for the construction of a rain-gauge. S.No.291/2A continued to be under the control of the Municipal Council, Mangalore.

S.No.291/1 (extent 1.47 acres):- The Govt., in their

pp 76-79 of (Z)

order No.3003 Revenue dated 23.11.1938 sanctioned the alienation of this plot of land to the Municipal Council, for the construction of a town hall. One of the conditions of alie-

1st condition (2) on p 77 of (Z)

nation was that the town hall should be constructed within a period of two years from the date of the grant. The Municipal

pp 29-31 of (Z)

Council was also accorded permission to utilise towards the construction of the town hall, the Town Hall Fund of Rs.16,000/ to divert Rs.12,000/- earmarked by the Municipal Council for an office building and also to contribute Rs.7,000/- from its funds. The Municipal Council has not so far constructed the

para 3 on p 7 CF

town hall, but has applied to the Collector of S. Kanara for resumption and realienation of the land for public recrea-

tion and park on the ground that it is not suitable for the purpose of Construction of a Town Hall. But subsequently it has contended that, as the land

M on p 7 CF

had already been handed over to the Municipality in 1907; p 10 CF of (R)

para 3 on p 6 CF

the question of resumption and realienation does not arise. The Board of Revenue also appears to hold the same view. In this connection it is submitted that the land was transferred

Condition (1) on p 10 CF of (R)

to the Municipal Council for maintaining it for public recrea-

pp 76-79 of (Z)

tion purpose and the alienation of the land was sanctioned for the a specific purpose of construction of a town hall and when the town hall has not been constructed the condition of alienation has been infringed and the land is consequently

liable for resumption. The proper course therefore would seem to be to resume the land and then transfer it to the Muncipal Council on the conditions specified in G.O. No.856 Revenue dated 12.4.1907 as amended by G.O. No.2307 Revenue dated 11.10.1941 or in the alternative the orders in G.O. No.3003 Revenue dated 23.11.38 in which alienation was sanctioned, should be cancelled. The President of the Town Hall Trust has objected to the request of the Municipal Council for resumption and realienation of the land in its favour for recreation purposes. He has stated that the Municipal Council considered the site known as the Hockey ground (in T.S.No. 281/1A1A3 of Attavara village) as more suitable for the purpose and applied for it and to add more weight to its request it has applied for the resumption and realienation of the site in T.S. No.291/1 for public recreation purpose. He has also sought the permission of the Govt. to lease out the plot to a private individual for Rs.30,000/- which is intended to be added to the funds of the Trust. The Collector of S.Kanara who was consulted in the matter has stated that as the plot has been alienated in favour of the Municipal Council it is the Municipal Council that can lease out the land after obtaining the permission of the Govt. He however does not think that the request of the Trust for permission to lease out the plot for securing a donation to the Trust can be complied with. The Board of Revenue has not yet offered its specific remarks in the matter. In view of the fact that a Town Hall Fund Trust has been constituted and large sums of money has been collected for the construction of a town hall, it appears desirable to know whether an alternate site for the construction of the town-hall has been selected, before considering whether resumption is necessary. For orders whether the information may be called for from the Collector of South Kanara.

p.10 CF of (R)
pp 21-22 of (P)
pp 76-79 of (Z)
B on p.2 CF
A on p.1 CF
or K on p.9 CF
A on p.1 CF
C on p.2 CF
D p.5 CF
J on p.9 CF
B
pp 32-43 of (Z)
p 29 of (Z)
A

S.No.291/2A:- This land was reserved for public recreation purposes. In G.O. Ms. No.2406 Revenue dated 15.9.1939 sanction was accorded for construction of a radio pavilion on

p.10 CF of (R)
pp 21-22 of (N)

site by the Municipal Council, Mangalore. The Muncipal Council is reported to have constructed also a Sports pavilion and a latrine in this site without permission and when questioned by the Collector, the propriety for this construction, the Municipal Council is reported to have contended by saying that the land was transferred already to the Municipal Council in 1907. One of the conditions of the transfer was that no building should be constructed on the site without the previous approval of the Collector. The Collector of South Kanara may perhaps be asked to draw the attention of the Municipal Council, Mangalore to this provision and also to inform the Council that in future the previous approval of the Collector should be obtained before constructing any building. As regards the Cricket pavilion and the latrine constructed on the site the Collector of S. Kanara has recommended that the action of the Municipal Council in having constructed them without permission may be ratified. The Board of Revenue also has supported the Collector's recommendation. This dept. may agree and orders may be issued accordingly.

Subject to orders a draft memo with reference to 'A' and 'B' above, is submitted for approval. L.A. and R.W. may see before issue.

D 5/3/52 SR 17.3.52

The draft may issue

22.3.52 DSP

29 MAR 1952

Rev. Dis. No. 7425 E/52-2

24.3.52

Read the note on 1/4/52

L.A.D

The ~~note~~ typed note from ¶ 2 above and the draft may be perused.

RW 25.3.52 for Secy

LOCAL ADMINISTRATION DEPARTMENT 10485 25 MAR 1952 SECRETARIAT, MADRAS

L. Dis. No 10485/52-14

28/3

The Revenue Dept's notes from the bottom of p 2 ante and the draft memo below may be perused and the file Returned to Revenue.

HR 2.4.52 — 3.4.52 — 4.4.52 — Rev

U.O.No 23234 Rev/52-1 — 4.4.52

From the Board of Rev. Ref. E. 1420/52-1 dt 19.3.52 — p 10 CF

To As

Notes from the middle of p. 3 ante and the Bd's reference on p. 10 CF may be perused

2/. W.r.t. B on p 4 ante, the Bd has since submitted its report agreeing with the ~~Collector~~ S. Kanara Collector's ~~that the petition~~ opinion at 'J' on p 9 CF. In view of this dept's proposal at A on p. 4 ante, which has been accepted by L.A. and R.W. no action is called for ~~from~~ the Bd's reference. The draft memo below may now issue.

B 2/4/52 — HR 14.4.52 — 17/IV

Issued as Memo. No 7425 EU/52-3 Revenue dt 17.4.1952 — pp 11-12 CF

From the Collector of S. Kanara letter No. B.3. 17144/51 dt 11.6.52. — pp 13-14 CF

To As

The S. Kanara Collector's report on pp 13-14 CF w.r.t the memo on p. 11-12 CF is for perusal. The Boards' remarks in the matter may be awaited.

A 16.6.52 — HR 17.6.52 — 20/6/52

From the Board of Rev. Ref E. 955/52-3 dt 15.7.1952 — p. 15 CF

To As

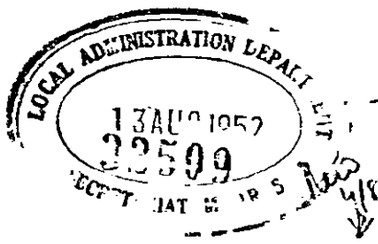
Please see the notes from ~~to~~ the bottom of p. 2 ante, the South Kanara Collector's report on pp 13-14 CF and the Board's reference on p. 15 CF

2/. With reference to A on p. 4 ante, since it has been reported that no other alternate site has been selected

A

has been reported that the site is unsuitable for the construction of a Town for constructing the Town Hall, that it is unlikely that the Town Hall Committee would be able to undertake the construction of the Town Hall in the immediate future with the limited funds at its disposal and that the Town Hall Committee could select a suitable site leisurely and that the Municipal Council has abandoned the idea of locating the Town Hall in T.S. no 291/1. The Collector has recommended that the land may be resumed and re-alienated to the Municipal Council for use as a public park and recreation ground. The Board of Revenue has stated that it has no objection to the Collector's proposal. This department may agree with the Collector and the land may be ordered to be resumed and realienated to the Municipal Council for use as a public park and recreation ground. Subject to orders w.r.t to his petition on pp1-2 of the President of the Town Hall Trust may be informed that his request to permit the Trust to lease the land cannot be complied with and that his petition is rejected.

3 Subject to orders a draft order is submitted for approval. L.A and R.W may see before circulation



A
8/7/52
C3
21/8/52

Notes from the bottom of p 2 maybe read. In the circumstances reported, proposals at 'A' above maybe approved.

The Draft order is for approval

11.8.52 — DS 12.8.52

Rev. Sec. no 7425 29/52 I
12.8.52

L A

RW

(5) L. A. Deptt. (A)

(Previous note of this deptt. on page 5 above)

The further notes of Rev. deptt. from page 6 ante and the draft order below may be perused and the file passed on to R. W. Deptt. w.o

RC. 8852 — 19/8/52

23.8.52

RW

RW. V

L.A.W.O. 32509/52-1A
26.8.52.

This dept has noted previously on p6 ante. The further notes from p6 ante and the draft order below may be perused and the file returned to Revenue.

25.8.52 — 24.852 — 29852 — 29.8.52

ADDITIONAL ASST. SECRETARY TO GOVERNMENT
27 AUG 1952
S 8573
REVENUE DEPARTMENT

Rev. Dept — Rev.

To A.S.

Notes from the bottom of p. 2 ante may be perused.

2. The file may now be circulated to M(LR) for approval of the draft order below

S 8573 Rw
29-8-52

ADDITIONAL ASST. SECRETARY
2 SEP 1952
689894
REVENUE DEPARTMENT

2.9.52 — 4/9/52 — 5.9.52

M. A. Mohiuddin
8/9 M(LR)

SECRETARY TO GOVERNMENT
8 SEP 1952
REVENUE DEPARTMENT

DEPUTY SECRETARY TO GOVERNMENT
8 SEP 1952
REVENUE DEPARTMENT